

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

LUIS A. SERRANO-BENITEZ,

Plaintiff,

v.

FCI TEXARKANA WARDEN,

Defendant.

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CIVIL ACTION NO. 5:19-CV-00067-RWS

ORDER

Petitioner Luis A. Serrano-Benitez, an inmate proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court referred this matter to Magistrate Judge Caroline M. Craven pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the above-styled petition be dismissed. Docket No. 2.

Petitioner received a copy of the Magistrate Judge's Report and Recommendation but filed no objections thereto; accordingly, he is not entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, he is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C. § 636(b)(1)(C); *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

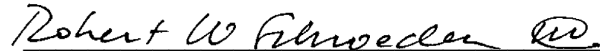
Nonetheless, the Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge and agrees with the Report of the Magistrate Judge. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) ("[T]he statute permits the district court to give to the magistrate's proposed findings of fact and recommendations 'such weight as [their] merit commands and the

sound discretion of the judge warrants,’ ”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)).

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED that the above-titled case is **DISMISSED**. All relief not previously granted is **DENIED-AS-MOOT**.

So ORDERED and SIGNED this 1st day of April, 2020.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE